



POST

GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

POST COMMISSION MEETING

**860 Stillwater Road, Suite 100
West Sacramento, CA 95605**

**December 8, 2021
1:00 PM – 5:00 PM**

ACTION SUMMARY

CALL TO ORDER

Commission Chair Joyce Dudley called the meeting to order at 1:05 p.m.

COLOR GUARD AND FLAG SALUTE

The Color Guard was provided by the California Highway Patrol.

MOMENT OF SILENCE HONORING OFFICERS KILLED IN THE LINE OF DUTY

A moment of silence was held in honor of those peace officers who lost their life since the last Commission meeting.

ROLL CALL OF COMMISSION MEMBERS

PRESENT

Alan Barcelona
Barry Donelan
Geoff Long
P. Lamont Ewell
Rick Braziel
John Marsh
Tina Nieto

PRESENT

Ingrid Braun
Lai Lai Bui
Joyce Dudley - Chair
James O'Rourke
Batine Ramirez
Kelly Gordon

ABSENT

Robert Doyle

A calling of the roll reflected a quorum was present.

INTRODUCTION OF POST LEGAL COUNSEL AND EXECUTIVE DIRECTOR

Commissioner Dudley introduced Legal Counsel William “Toby” Darden, and Executive Director Manny Alvarez.

AWARDS PRESENTATIONS

Commissioner Dudley called for the presentation of the Excellence in Training and O.J. “Bud” Hawkins awards.

Break 1:45 p.m.

Reconvened: 2:00 p.m.

PUBLIC COMMENT PERIOD

Commissioner Dudley opened the floor for public comment. Several people came forward to speak about various items.

EXECUTIVE DIRECTOR COMMENTS

Commissioner Dudley introduced Executive Director Manny Alvarez who addressed the Commission.

APPROVAL OF ACTION SUMMARY AND MINUTES

A. Approval of the action summary and minutes of the following meetings:

- Action Summary – September 1, 2021
- Meeting Minutes – September 1, 2021
- Action Summary – September 29, 2021
- Action Summary – September 29, 2021

MOTION – Bui, Second – Braun, and carried unanimously to approve the action summary and meeting minutes of the September 1, 2021, Commission meeting.

MOTION – Braun, Second – Bui, and carried unanimously to approve the action summary and meeting minutes of the September 29, 2021, Commission meeting.

CONSENT

B. Consent Items

Commissioner Dudley announced there would be presentations on Consent Items: 5-9. She then asked if the Commission would like presentations on any of the other Consent Items. There were no additional requests.

Item 1. Report on Course Certification Statistics - 04/01/2021 to 10/31/2021

No presentation was requested or heard on this item.

Item 2. Report on POST Reimbursable Program Obsolete Agency – Rio Vista Police Department

No presentation was requested or heard on this item.

Item 3. Report on POST Reimbursable Program Obsolete Agency – Baldwin Park Unified School District Police Department

No presentation was requested or heard on this item.

Item 4. Report on POST Proposed Regulatory Actions/Status

No presentation was requested or heard on this item.

Item 5. Report on the Advanced Distance Learning Program (ADLP)

Commissioner Dudley called upon Bureau Chief Rosanne Richeal, Learning Technology Resources Bureau, and Bureau Chief Drew Wyant, Management Counseling and Projects Bureau, to provide a report.

This report was provided for information only. No action was required.

Item 6. Report on Distraction Blows

Commissioner Dudley called upon Law Enforcement Consultant David Honda, Training Delivery and Compliance Bureau, to provide a report.

This report was provided for information only. No action was required.

Break 2:37 p.m.

Reconvene 2:45 p.m.

Item 7. Report on the History of Policing in the Basic Courses

Commissioner Dudley called upon Law Enforcement Consultant Raymund Nanadiego, Basic Training Bureau, to provide a report.

This report was provided for information only. No action was required.

Item 8. Report on Senate Bill 2 Commission Regulations

Commissioner Dudley called upon Assistant Director Maria Sandoval, Executive Office, and Bureau Chief Jackie Nelson, SB 2 Bureau, to provide a report.

This report was provided for information only. No action was required.

Break 4:00 p.m.

Reconvene 4:10 p.m.

Item 9. Report on Legislative Update

Commissioner Dudley called upon Legislative Liaison/Public Information Officer Meagan Poulos, Executive Office, to provide a report.

This report was provided for information only. No action was required.

At the conclusion of the presentations, Commissioner Dudley called for a **MOTION** to approve the Consent Agenda.

MOTION – Long, Second – O’Rourke, and carried unanimously to approve the Consent Agenda.

FINANCE COMMITTEE

C. Financial Report

Commission Long provided a brief overview of the Finance Committee meeting held on Wednesday December 8, 2021, in West Sacramento, CA.

Commissioner Dudley called for a **MOTION** to approve the Finance Committee report.

MOTION – Nieto, Second – Braun, and carried unanimously to approve the Finance Committee report.

Commissioner Dudley explained the Commission would participate in a **ROLL CALL VOTE** to approve the proposed recurring contract. A roll call vote was conducted for the following bureau:

The following **MOTION** and **ROLL CALL VOTES** took place:

Training Delivery and Compliance Bureau

MOTION – Ramirez, Second – Donelan, carried unanimously by **ROLL CALL VOTE** to approve the Executive Development Course Contract for Fiscal Year 2021-2022.

BASIC TRAINING BUREAU

D. Report on Proposed Changes to Commission Regulation 1081 – Minimum Standards for Legislatively Mandated Courses

Commission Regulation 1081 – Campus Law Enforcement Course has been updated to reflect emerging training needs.

Commissioner Dudley called upon Staff Services Manager Cheryl Smith, Basic Training Bureau, to provide a report on this item.

The Commission discussed this item and made the following motions:

Commissioner Dudley called for a **MOTION** to approve the proposed changes to the Training and Testing Specifications for Peace Officer Basic Courses.

MOTION – Donelan, Second – Ramirez, and carried unanimously to approve the proposed changes to the Training and Testing Specifications for Peace Officer Basic Courses.

E. Report on Proposed Changes to Commission Regulations 1052, 1055, 1059, and 1070 – Course Certification and Presentation Requirements

Commission Regulations and Commission Procedures are reviewed on an ongoing basis to determine if updates are needed. This review process identified revisions to a number of Commission Regulations that will provide clarification, correct inconsistencies, and add missing information.

Commissioner Dudley called upon Staff Services Manager I Jennifer Hardesty, Basic Training Bureau, to provide a report on this item.

The Commission discussed this item and made the following motions:

Commissioner Dudley called for a **MOTION** to approve the changes as described in the staff report.

MOTION – Donelan, Second – Gordon, and carried unanimously to approve the changes as described in the staff report.

LEARNING TECHNOLOGY RESOURCES BUREAU

F. Report on Driver Training Simulator Instructors

Staff recommends the revisions to Regulations 1070 and 1082 be amended pursuant to the rulemaking process and the Office of Administrative Law. If no one requests a public hearing, the amendments will become effective April 1, 2022.

Commissioner Dudley called upon Bureau Chief Rosanne Richael, and Law Enforcement Consultant Steve Harding, Learning Technology Resources Bureau, to provide a report on this item.

The Commission discussed this item and made the following motions:

Commissioner Dudley called for a **MOTION** to approve the changes as described in the staff report.

MOTION – Ramirez, Second – Bui, and carried unanimously to approve the changes as described in the staff report.

G. Report of Force Option Simulator Instructors

In February 2021, the Commission voted to discontinue the use of the Force Option Simulator to fulfill Tactical Firearms Perishable Skills. Accordingly, POST staff recommends the Commission also remove Force Option Simulator as a mandated Regulation 1070 course.

Commissioner Dudley called upon Bureau Chief Rosanne Richael, and Law Enforcement Consultant Steve Harding, Learning Technology Resources Bureau, to provide a report on this item.

The Commission discussed this item and made the following motions:

Commissioner Dudley called for a **MOTION** to approve the changes as described in the staff report.

MOTION – Donelan, Second – Nieto, and carried unanimously to approve the changes as described in the staff report.

STRATEGIC COMMUNICATIONS AND RESEARCH BUREAU

H. Report on Mandatory Training for Background Investigators

California Government Code § 1031(d) requires that peace officer candidates undergo a thorough background investigation to ensure that they are “of good moral character.” Commission Regulation 1953 further requires that candidates are absent of “past behavior indicative of unsuitability to perform the duties of a peace officer.”

Commissioner Dudley called upon Bureau Chief John Lowden, and Staff Services Manager Melani Singley, Strategic Communications and Research Bureau, to provide a report on this item.

The Commission discussed this item and made the following motions:

Commissioner Dudley called for a **MOTION** to approve changes as described in the staff report.

MOTION – Donelan, Second – Long, and carried unanimously to approve the changes as described in the staff report.

COMMITTEE REPORTS

I. Advisory Committee

Randy Waltz, Acting Vice Chair of the Advisory Committee, provided a report on the results of the Advisory Committee meeting held on Wednesday December 8, 2021, in West Sacramento, CA.

Acting Vice Chair Waltz shared the items discussed at the Advisory Committee and the Committee moved to support the Commission agenda.

Commissioner Dudley called for a **MOTION** to approve the Advisory Committee report.

MOTION – O’Rourke, Second – Ramirez, carried unanimously to approve the Advisory Committee report.

CORRESPONDENCE

J. Commissioner Dudley reviewed the correspondence from POST.

OLD BUSINESS

K. Old Business

There was no Old Business.

NEW BUSINESS

L. New Business

1. Consideration for next Commission Meetings.
 - August 31-September 1, 2022, TBD
 - November 30-December 1, 2022 – POST HQ, West Sacramento
 - March 1-2, 2023 – TBD
 - June 7-8, 2023 – POST HQ, West Sacramento
2. Sheriff Rick DiBasilio’s term on the Advisory Committee is expiring. Request for consideration for re-appointment to the Commission on POST Advisory Committee.

- Letter from Sheriff Dean Growden, CCSA President, requesting Sheriff Rick DiBasilio be re-appointed to the Advisory Committee as CSSA's representative. Current term expires February 2022.

MOTION – Braziel, Second-Donelan, carried unanimously to approve the four Commission meeting dates, and approve the re-appoint Sheriff DiBasilio to the Advisory Committee.

FUTURE COMMISSION DATES

M. Future Commission Dates

Commissioner Dudley read the future Commission meeting dates.

- March 2-3, 2022 – San Diego, CA
- May 25-26, 2022 – POST, West Sacramento

CLOSED SESSION

N. Closed Executive Session – 5:03 p.m. – 5:25 p.m.

1) Conference with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 11126(e)(1), the Commission hereby provides public notice that the following pending litigation matters may be considered and acted upon, as necessary and appropriate, in closed session.

a) Electronic Frontier Foundation v. California Commission on Peace Officer Standards and Training, Yolo County Superior Court, Case No CV2021-0911.

b) Tamara Evans v. POST, Sacramento Superior Court, Case No. 34-2014-00164423; Eastern District of California, Case No. 2:15-cv-01951.

2) Conference with Legal Counsel – Existing/Potential Litigation: Pursuant to Government Code Section 11126(e)(1) and (2), the Commission hereby provides public notice that it may meet in closed session to consider the following matters, and/or to determine whether, based on existing facts and circumstances, any matter presents a significant exposure to litigation [see Government Code Section 11126(e)(2)(B)(ii)] and, if so, to proceed with closed session consideration and action on that matter, as necessary and appropriate [see Government Code Section 11126(e)(2)(B)(i)], or, based on existing facts and circumstances, if it has decided to initiate or is deciding to initiate litigation [see Government Code Section 11126(e)(2)(C)], or, if in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is litigation, or significant exposure to litigation, against the state body [see Government Code Section 11126(e)(2)(B)(i)]. Such consideration may include but is not limited to the following matters:

a) Matters before the Equal Employment Opportunity Commission and Department of Fair Employment and Housing: EEOC # 550-2021-00916.

Reconvened to General Session – 5:25 p.m.

Commissioner Dudley reconvened the meeting to general session and asked for any comments from the Commissioners.

There were no additional comments.

Commissioner Dudley called for a **MOTION** to adjourn the meeting.

MOTION – Ramirez, Second – Bui, carried unanimously to adjourn the meeting.

ADJOURNMENT – 5:27 p.m.

Respectfully Submitted,

Keri Nunez
Associate Governmental Program Analyst
Administrative Assistant to the Executive Director